



Patent
Attorney Docket: 302,670-4
(prev 263/168)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark M. Wang et al.

Serial No.: 09/845,245

Filed: April 27, 2001

For: METHOD FOR CHARACTERIZING
PARTICLES USING OPTICAL FORCES

Group Art Unit: 1651

Examiner: Jon P. Weber

RESPONSE TO SECOND RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 17, 2004, Applicants make the following election:

Amendments to the Claims are reflected in the listing of the Claims, which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5-17-04

Date of Deposit

Denise N. Doss
Denise N. Doss



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ISW 1651\$

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AMENDMENT/RESPONSE TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/> \$55.00	<input type="checkbox"/> \$110.00
2 months	<input checked="" type="checkbox"/> \$210.00	<input type="checkbox"/> \$420.00
3 months	<input type="checkbox"/> \$475.00	<input type="checkbox"/> \$950.00
4 months	<input type="checkbox"/> \$740.00	<input type="checkbox"/> \$1,480.00
5 months	<input type="checkbox"/> \$1,005.00	<input type="checkbox"/> \$2,010.00

- No extension fee is believed due at this time. However, if the Commissioner deems otherwise, please consider this a petition therefore.

05/21/2004 CCHAU1 00000030 502862 09845245

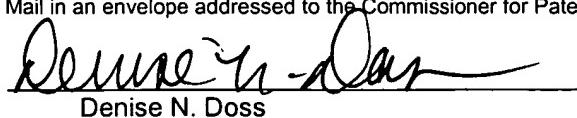
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Denise N. Doss

FEES FOR CLAIMS:

- Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below

	Currently Pending	Previously Paid for	Additional Claims	Fees	Totals
Total Claims	18	-	53 = 0	x \$18.00	0
Independent Claims	1	-	9 = 0	x \$86.00	0
Multiple Dependent Claims	\$280	(if applicable)		<input type="checkbox"/>	0
TOTAL OF ABOVE CALCULATIONS					0
Reduction by $\frac{1}{2}$ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.					<input checked="" type="checkbox"/> 0
TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH					0

- A check in the amount of \$_____ is enclosed herewith
- Information Disclosure Statement & PTO/SB/08A (without references) and fee of \$180.00
- The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. **50-2862** in the amount of **\$390.00**. In addition, please charge this account in the event there are any deficiency in fees.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 31 17 04

By: DBM

David B. Murphy
Reg. No. 31,125
Attorneys for Applicant

DBM/dnd

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IR1:1055181.1